

**CITY COUNCIL MEETING
CITY OF WATERTOWN
June 15, 2015
7:00 p.m.**

Mayor Jeffrey E. Graham Presiding

Present: Council Member Roxanne M. Burns (arrived at 7:05)
Council Member Joseph M. Butler, Jr.
Council Member Stephen A. Jennings
Council Member Teresa R. Macaluso
Mayor Graham

Also Present: Sharon Addison, City Manager
Robert J. Slye, City Attorney

City staff present: James Mills, Kenneth Mix, Matthew Roy, Erin Gardner, Amy Pastuf, Michael Sligar, Michael Lumbis, Yvonne Reff, Brian Phelps, Justin Wood, Eugene Hayes, Jeffrey Polkowski, Geoffrey Urda, Police Chief Donoghue, Fire Chief Herman, Deputy Fire Chief Randall

The City Manager presented the following reports to Council:

- Resolution No. 1 - Authorizing Acceptance of Federal Emergency Management Agency (FEMA) Grant AFG 1549, Fire Department
- Resolution No. 2 - Approving the Site Plan for the Construction of a 38,819 square foot warehouse expansion, a 1,572 square foot office expansion and a 37-space parking lot expansion to the Renzi Foodservice Building at 901 Rail Drive, Parcel 9-43-101.008
- Resolution No. 3 - Approving the 2015 Youth and Young Adult Employment Training Program Contract Between the City of Watertown and the Jefferson-Lewis Local Workforce Development Area
- Resolution No. 4 - Approving No Increase in Flat Fee for Concessions, Jefferson County Agricultural Society
- Resolution No. 5 - Accepting Bid for Police Officers' Uniforms, Rosen's Uniforms
- Resolution No. 6 - Grant of Easement Between the City of Watertown and National Grid, Watertown Municipal Arena Renovation, Project #13-15-18442918
- Resolution No. 7 - Approving the Site Plan for the construction of a 6,500 square foot building addition at 748 Starbuck Avenue, Parcel Number 4-09-102.000
- Resolution No. 8 - Approving Change Order No. 1 for Watertown Municipal Arena Renovation, General Contractor, Bette & Cring
- Resolution No. 9 - Approving Change Order No. 2 for Watertown Municipal Arena Renovation, General Contractor, Bette & Cring
- Resolution No. 10 - Approving Change Order No. 1 for Watertown Municipal Arena Renovation, Plumbing/Fire Protection, Lawman Heating & Cooling, Inc.
- Resolution No. 11 - Authorizing Spending From Capital Reserve Fund
- Resolution No. 12 - Decommissioning Marshall Place and Jackson Street
- Ordinance No. 1 - Changing the Approved Zoning Classification of 1445 Washington Street, Parcel 13-22-208.000, from Neighborhood Business to Commercial
- Ordinance No. 2 - Amending the Code of the City of Watertown Section 310-9, Commercial Districts and 310-52, Location of Certain Activities Restricted

- Ordinance No. 3 - An Ordinance Amending the Ordinance Dated March 30, 2015, Authorizing the Issuance of \$10,300,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs of the Design, Reconstruction and Expansion of the City's Fairgrounds Arena, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$10,400,000
- Public Hearing - Decommissioning Marshall Place and Jackson Street
- Donation Offer of 154 Winslow Street
- 2014-2015 Crow Management Program Report – Loomacres Wildlife Management
- Letter from Community Action Planning Council of Jefferson County, Inc.

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the adjourned meeting of June 1, 2015, and the regular meeting of June 1, 2015, was dispensed and accepted as written by motion of Council Member Teresa R. Macaluso, seconded by Council Member Joseph M. Butler, Jr. and carried with all voting in favor thereof, except for Council Member Roxanne M. Burns who was not present.

COMMUNICATIONS

A letter was received from Bruce G. Wright, President/CEO of Guilfoyle Ambulance, expressing his concerns with decreasing staffing levels to the Watertown Fire Department and discussing the assistance that the Rescue Company provides in conjunction with the ambulance service.

Above communication was placed on file in the office of the City Clerk.

PRIVILEGE OF THE FLOOR

S. G. Gates, 157 Dorsey Street, spoke in opposition to the proposed dog park location at Factory Square Park. He indicated he contacted the Attorney General in hopes of receiving clarification on this issue. Mentioning that he attended the dog walk this past weekend, he said he informed many people of his concerns of toxic waste on the site and he wants people to hear both sides of the issue. He finished by discussing the small size of the dog park, indicating that its design will promote aggression.

PUBLIC HEARING

At 7:30 p.m. Mayor Graham asked the City Clerk to read the notice of Public Hearing Concerning Decommissioning Marshall Place and Jackson Street

Mayor Graham declared the hearing open at 7:30 p.m.

Aileen Martin, Executive Director of Northern Regional Center for Independent Living, addressed the chair in support of decommissioning Marshall Place and Jackson Street. She stated this is really an

entrance to a parking lot and decommissioning these streets would be beneficial to the commerce done within the building.

Mayor Graham declared the hearing closed at 7:31 p.m.

RESOLUTIONS

Resolution No. 1 - Authorizing Acceptance of Federal Emergency Management Agency (FEMA) Grant AFG 1549, Fire Department

Introduced by Council Member Stephen A. Jennings

WHEREAS on November 17, 2014 City Council authorized the City of Watertown Fire Department to prepare an application that meets the intended purpose of the Federal Emergency Management Agency (FEMA) grant, which will allow the Department to purchase much needed supplies, and

WHEREAS this grant application was for funding in the amount of \$257,660 and required a matching fund of 10% from the City, and

WHEREAS the City has received notification that the grant has been awarded in the amount of \$147,362, which covers the cost of five new mobile radios to upgrade the current radio inventory to trunking,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the Fire Department to accept the grant award in the amount of \$147,362 from the Federal Emergency Management Agency (FEMA) AFG 1549, and

BE IT FURTHER RESOLVED that Fire Chief Dale C. Herman is hereby authorized and directed to execute the acceptance on behalf of the City of Watertown.

Seconded by Council Member Roxanne M. Burns

Prior to the vote on the foregoing resolution, Council Member Butler questioned the impact that this will have on the budget.

Dale Herman, Fire Chief, explained there was \$15,000 set aside to upgrade ten radios to the trucking system and this dollar amount was chosen because it also equates to the 10% match of this grant which will allow for more radios to be upgraded.

Council Member Butler asked if equipment was going to be replaced.

Fire Chief Herman explained the radios will be upgraded and not replaced.

Council Member Macaluso asked if this grant was the one that included the two extra positions for the department.

Fire Chief Herman clarified that was another grant called the SAFER grant. He added that the Fire Department has also applied for a third grant for fire prevention.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 2 - Approving the Site Plan for the Construction of a 38,819 square foot warehouse expansion, a 1,572 square foot office expansion and a 37-space parking lot expansion to the Renzi Foodservice Building at 901 Rail Drive, Parcel 9-43-101.008

Introduced by Council Member Roxanne M. Burns

WHEREAS John Walsh of Paradigm Design and Bob Ross of FoodTech Inc., on behalf of MLR Realty, LLC, has submitted an application for site plan approval for the construction of a 38,819 square foot warehouse expansion, 1,572 square foot office expansion and a 37-space parking lot expansion to the Renzi Foodservice Building at 901 Rail Drive, parcel 9-43-101.008, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on April 7, 2015, and voted to recommend that the City Council of the City of Watertown approve the site plan with the following conditions:

1. The fire apparatus road must be extended, at a minimum, to the rear northeast corner of the new addition and shall be designed to City specifications, approved by the City Engineer prior to construction, and must be properly maintained on a year-round basis to include snow removal and resurfacing and grading when required.
2. The applicant must address all of the Engineering Department's stormwater design requirements and comments prior to the issuance of any City permits.
3. The applicant must forward a copy of the letter it receives from the New York State Department of Health to the City that grants the approval for the new hydrant.
4. The following note must be added to the Utilities Plan, "All water and main service work must be coordinated with the City of Watertown Water Department. The Water Department Requirements supersede all other plans and specifications provided."
5. All utilities must be shown on the Utility Plan, including pipe inverts, pipe material, pond outlets, etc.
6. The applicant must make all of the required revisions to the Engineering Report and submit them to the Engineering Department prior to the issuance of any City permits.
7. The applicant must revise the plans to include all of the design details required and submit them to the Engineering Department prior to the issuance of any City permits.
8. The applicant shall create a separate landscaping plan or incorporate it into an existing plan sheet and provide a typical planting schedule that includes plant species, size and other standard information.
9. The applicant shall address and provide additional data for all of the identified

SEQR issues prior to the City Council considering the site plan for approval.

10. The applicant must obtain, minimally, the following permits prior to construction: Building Permit and a Water Supply Permit.
11. The applicant shall obtain a letter from the property owner authorizing the applicant to apply for a site plan approval.

And,

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is an Unlisted Action and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted for the construction of a 38,819 square foot warehouse expansion, a 1,572 square office expansion and a 37-space parking lot expansion at 901 Rail Drive, parcel 9-43-101.008, as depicted on the plans submitted to the City Engineer on March 24, 2015, subject to the conditions recommended by the Planning Board and listed above.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

**Resolution No. 3 - Approving the 2015 Youth and Young Adult Employment Training Program-
Contract Between the City of Watertown and the Jefferson-Lewis Local Workforce Development
Area**

Introduced by Council Member Teresa R. Macaluso

WHEREAS the Jefferson County Department of Employment and Training and the Jefferson-Lewis Local Workforce Development Area has allocated to the City of Watertown four (4) funded training positions under the Summer Youth & Young Adult Employment Training Program, and

WHEREAS various departments of the City of Watertown can provide training opportunities for young people of the community, and

WHEREAS the City and Jefferson County Department of Employment and Training have cooperated in past years with this same program,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby authorizes the City's participation in the 2015 Summer Youth & Young Adult Employment Training Program, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to execute the Youth & Young Adult Employment Training Program Contract on behalf of the City of Watertown.

Seconded by Council Member Stephen A. Jennings

Prior to the vote on the foregoing resolution, Council Member Burns said she thinks this program is beneficial, noting that the County participates as well. She commented that some of the people from this program have become full-time employees. She stated it is a great opportunity for the youth in the community and thanked staff for being involved with it as mentors.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 4 - Approving No Increase in Flat Fee for Concessions, Jefferson County Agricultural Society

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City of Watertown owns and operates the Alex T. Duffy Fairgrounds, and

WHEREAS the Jefferson County Agricultural Society has agreed to no increase to the flat fee in the amount of \$975.00 for their concessions during the 2015 Jefferson County Fair operating July 14 to July 19, and

WHEREAS City Council of the City of Watertown desires to promote recreational activities at this community recreational facility,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby approves the flat fee in the amount of \$975 for their concessions during the 2015 Jefferson County Fair operating July 14 to July 19, 2015.

Seconded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 5 - Accepting Bid for Police Officers' Uniforms, Rosen's Uniforms

Introduced by Council Member Joseph M. Butler, Jr.

WHEREAS the City Purchasing Agent has advertised and received sealed bids for the purchase of new and unused police uniform apparel, on an as needed basis, as specified by the Police Department for the period July 1, 2015 – June 30, 2017, with the option to renew for two additional one-year contracts, and

WHEREAS invitations to bid were issued to nine (9) prospective bidders with two (2) bids submitted to the Purchasing Department, and

WHEREAS on Thursday, June 4, 2015, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS City Purchasing Agent Amy M. Pastuf reviewed the bids received with the Police Department and is recommending that the City Council accept the bid submitted by Rosen's Uniforms,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of Rosen's Uniforms in the total bid amount of \$2,682.00 for Police Officers' uniforms, on an as needed basis, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to sign all contracts associated with implementing the award to Rosen's Uniforms.

Seconded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 6 - Grant of Easement Between the City of Watertown and National Grid, Watertown Municipal Arena Renovation, Project #13-15-18442918

Introduced by Council Member Stephen A. Jennings

WHEREAS the City of Watertown desires to upgrade the electrical service as part of the Watertown Municipal Arena Renovation, and

WHEREAS in order complete the update, National Grid will need to cross City owned property, and

WHEREAS National Grid and the City have agreed to the location of the work, and the City wishes to grant an easement to National Grid so that the electrical conduit and transformer pad may be installed for the new transformer,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Grant of Easement Agreement between the City of Watertown and National Grid, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager Sharon Addison is hereby authorized and directed to execute the Grant of Easement Agreement on behalf of the City.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 7 - Approving the Site Plan for the construction of a 6,500 square foot building addition at 748 Starbuck Avenue, Parcel Number 4-09-102.000

Introduced by Council Member Roxanne M. Burns

WHEREAS Timothy F. Titus of Aubertine & Currier, LLC on behalf of Joseph Dephtereos of New York Air Brake has submitted an application for site plan approval for the construction of a 6,500 square foot building addition at 748 Starbuck Avenue, Parcel Number 4-09-102.000, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on June 2, 2015, and voted to recommend that the City Council of the City of Watertown approve the site plan with the following conditions:

1. The applicant must submit a plan showing the internal traffic circulation patterns to the City Engineering Department and submit revised plans that depict snow storage areas.
2. For the proposed PE water main, the applicant must clearly indicate how they plan to terminate the tracer wire at the hydrant and at the connections to the existing main.
3. The applicant must provide a fire protection plan indicating the proposed distances and hose lengths from existing and proposed fire hydrants for the existing and proposed building.
4. The applicant must provide an updated fire flow test and sprinkler design calculations for the building and update the engineering report to state whether or not the proposed building and the renovated building will contain overhead sprinklers.
5. The applicant must add the following note to the Utilities Plan, "All water main and service work must be coordinated with the City of Watertown Water Department. The Water Department Requirements supersede all other plans and specifications provided."
6. The applicant must provide additional design details for the sanitary sewer connection including depth of cover, profile of sewer alignment and proposed inverts and shall verify that minimum scouring velocity will be achieved within the new sewer.
7. The applicant shall clearly indicate any roof drain connections and/or foundation drain connections on the utility plan.
8. The applicant shall provide sufficient descriptions of the existing and proposed utilities within the vicinity of the proposed construction including pipe sizes, rim elevations, pipe inverts, and pipe material.
9. The applicant must provide an easement for installation of the sanitary sewer.
10. The applicant shall clarify all legend discrepancies including existing building lights and proposed fire hydrants.
11. The applicant must obtain, minimally, the following permits prior to construction: Building Permit, Water Supply Permit, Sanitary Sewer Connection Permit and Storm Sewer Connection Permit.
12. The applicant shall provide a zoning table in the plans to address zoning requirements of the site and shall add street names to and label the location map shown on CD100, CS100, CG101, and CU100.
13. PDFs of the entire drawing set shall be forwarded to the City Engineering Department anytime revisions are made to any one drawing.

And,

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is an Unlisted Action and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted for the construction of a 6,500 square foot building addition at 748 Starbuck Avenue, Parcel Number 4-09-102.000, as depicted on the plans submitted to the City Engineer on May 20, 2015, subject to the conditions recommended by the Planning Board and listed above.

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Council Member Burns commented that she thinks this is a very good thing for the City.

Mayor Graham agreed, stating the New York Airbrake has been a longtime pillar of the community and is willing to invest and expand, which speaks well of the ownership.

Council Member Butler suggested sending the New York Airbrake, as well as Renzi Foodservice, a letter from the Mayor's Office, along with Council Members, thanking them for continuing to invest in the community.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 8 - Approving Change Order No. 1 for Watertown Municipal Arena Renovation, General Contractor, Bette & Cring

Introduced by Council Member Roxanne M. Burns

WHEREAS on March 30, 2015, City Council of the City of Watertown approved the bid submitted by Bette & Cring in the amount of \$6,268,000 as the General Contractor for the Watertown Municipal Arena Renovation, and

WHEREAS Bette & Cring has now submitted Change Order No. 1 in the decreased amount of \$31,260 for changing to a hydraulic elevator, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 1 to contract with Bette & Cring in the decreased amount of \$31,260 for the Watertown Municipal Arena Renovation, a copy of which is attached and made part of this Resolution, and

BE IT FURTHER RESOLVED that the City Manager Sharon Addison be authorized and directed to sign the Change Order on behalf of the City of Watertown, and

BE IT FURTHER RESOLVED that approval of this Resolution is contingent upon approval of the Bond Ordinance Amendment associated with this project to cover the costs.

Seconded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 9 - Approving Change Order No. 2 for Watertown Municipal Arena Renovation, General Contractor, Bette & Cring

Introduced by Council Member Stephen A. Jennings

WHEREAS on March 30, 2015, City Council of the City of Watertown approved the bid submitted by Bette & Cring in the amount of \$6,268,000 as the General Contractor for the Watertown Municipal Arena Renovation, and

WHEREAS Bette & Cring has now submitted Change Order No. 1 in the decreased amount of \$31,260 for changing to a hydraulic elevator, and

WHEREAS Bette & Cring has also submitted Change Order No. 2 in the increased amount of \$20,543 for storm and sanitary separation, as well as removal of high hat channel,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 2 to contract with Bette & Cring in the increased amount of \$20,543 for the Watertown Municipal Arena Renovation, a copy of which is attached and made part of this Resolution, bringing the total General Contractor amount to \$6,257,283, and

BE IT FURTHER RESOLVED that the City Manager Sharon Addison be authorized and directed to sign the Change Order on behalf of the City of Watertown, and

BE IT FURTHER RESOLVED that approval of this Resolution is contingent upon approval of the Bond Ordinance Amendment associated with this project to cover the costs.

Seconded by Council Member Roxanne M. Burns and carried with all voting yea.

Resolution No. 10 - Approving Change Order No. 1 for Watertown Municipal Arena Renovation, Plumbing/Fire Protection, Lawman Heating & Cooling, Inc.

Introduced by Council Member Roxanne M. Burns

WHEREAS on March 30, 2015, City Council of the City of Watertown approved the bid submitted by Lawman Heating & Cooling, Inc. in the amount of \$668,000 for Plumbing/Fire Protection for the Watertown Municipal Arena Renovation, and

WHEREAS Lawman Heating & Cooling, Inc. has now submitted Change Order No. 1 in the amount of \$64,810.75 for work on the sprinkler system, surface mounted drinking fountains, PVC plumbing, eliminating sensor activated flush valves, and eliminating sensor activated lavatory faucets,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 1 to contract with Lawman Heating & Cooling, Inc. in the amount of \$64,810.75 for the Watertown Municipal Arena Renovation, a copy of which is attached and made part of this Resolution, bringing the total of the Plumbing/Fire Protection contract to \$732,810.75, and

BE IT FURTHER RESOLVED that the City Manager Sharon Addison be authorized and directed to sign the Change Order on behalf of the City of Watertown, and

BE IT FURTHER RESOLVED that approval of this Resolution is contingent upon approval of the Bond Ordinance Amendment associated with this project to cover the costs.

Seconded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 11 - Authorizing Spending From Capital Reserve Fund

Introduced by Council Member Joseph M. Butler, Jr.

WHEREAS on June 19, 2006, the City Council approved establishing a Capital Reserve Fund pursuant to Section 6-c of the General Municipal Law to finance future capital improvements, and

WHEREAS the Adopted 2015-16 Capital Fund Budget and General Fund Budget included the following projects and equipment purchases: refurbish fire engine #1 (\$150,000), DPW 4x4 snowplow with wing (\$240,000) and DPW front-end loader (\$130,000), and

WHEREAS the City Council desired to fund these projects and equipment purchases from the Capital Reserve Fund, and

WHEREAS on Monday, July 6, 2015 at 7:30 p.m., the City Council of the City of Watertown held a public hearing to discuss the expenditure of funds from this capital reserve fund, and

WHEREAS it has been determined that the expenditure of these funds is in keeping with the purpose for the capital reserve fund,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the appropriating of Capital Reserve funds in an amount not to exceed \$520,000 to pay for the cost of the refurbish fire engine #1 (\$150,000), DPW 4x4 snowplow with wing (\$240,000) and DPW front-end loader (\$130,000).

Seconded by Council Member Stephen A. Jennings

Motion was made by Council Member Joseph M. Butler, Jr. to schedule a Public Hearing on the foregoing resolution for Monday, July 6, 2015 at 7:30 P.M. Motion was seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.

Resolution No. 12 - Decommissioning Marshall Place and Jackson Street

Introduced by Council Member Roxanne M. Burns

WHEREAS City Council wishes to decommission both Marshall Place and Jackson Street as City Streets, and

WHEREAS the City of Watertown plans to use the land of said streets for automobile parking but not for street purposes, and

WHEREAS a public hearing concerning decommissioning these two streets was held on June 15, 2015, after due public notice, pursuant to General City Law, Section 29, and

WHEREAS the City Planning Board met on June 2, 2015 to review the proposed action and voted unanimously in favor thereof,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that Marshall Place and Jackson Street are hereby abandoned, discontinued and decommissioned as City Streets, and

BE IT FURTHER RESOLVED that the City Manager is hereby directed to cause the removal of said streets from all City maps, "official" or otherwise, including the tax assessment maps.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

ORDINANCES

Ordinance No. 1 - Changing the Approved Zoning Classification of 1445 Washington Street, Parcel 13-22-208.000, from Neighborhood Business to Commercial

Introduced by Council Member Joseph M. Butler, Jr.

BE IT ORDAINED where Timothy F. Titus of Aubertine & Currier, on behalf of Dr. Christopher Jank, DVM of 1445 Washington Street, LLC, has made an application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of 1445 Washington Street, Parcel 13-22-208.000, from Neighborhood Business to Commercial, and

WHEREAS the Planning Board of the City of Watertown considered the request at its June 2, 2015 meeting and unanimously adopted a motion recommending that City Council approve the zone change, and

WHEREAS a public hearing was held on the proposed zone change on July 6, 2015, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change,

NOW THEREFORE BE IT ORDAINED that the approved zoning classification of 1445 Washington Street, Parcel Number 13-22-208.000, shall be changed to Commercial District, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect these changes, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or otherwise printed as the City Manager directs.

Seconded by Council Member Stephen A. Jennings

Motion was made by Council Member Joseph M. Butler, Jr. to schedule a Public Hearing on the foregoing ordinance for Monday, July 6, 2015 at 7:30 P.M. Motion was seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.

Ordinance No. 2 - Amending the Code of the City of Watertown Section 310-9, Commercial Districts and 310-52, Location of Certain Activities Restricted

Introduced by Council Member Joseph M. Butler, Jr.

BE IT ORDAINED where Timothy F. Titus of Aubertine & Currier has submitted an application to amend Section 310-9, Commercial Districts of the Zoning Ordinance of the City of Watertown to allow "Animal Hospital" as a permitted use and to amend Paragraph C of Section 310-52, Location of Certain Activities Restricted to eliminate the requirement for special approval of the City Council for an Animal Hospital, and

WHEREAS the Planning Board of the City of Watertown reviewed the proposed zoning text amendments to Section 310-9 and Section 310-52 of the Zoning Ordinance at its June 2, 2015 meeting and unanimously adopted a motion recommending that City Council approve the amendments as proposed, and

WHEREAS the Jefferson County Planning Board reviewed the proposed zoning text amendments at its June 30, 2015 meeting pursuant to New York State General Municipal Law Section 239-m, and

WHEREAS a public hearing was held on the proposed zoning text amendments on July 6, 2015, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed amendments according to the requirements of SEQRA, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested amendments,

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Watertown that the following allowed use is added to § 310-9. **Commercial Districts:**

J. Animal Hospital.

BE IT FURTHER ORDAINED that the following replaces the current § 310-52, **Paragraph C**, in its entirety:

C. Animal hospital, unless constructed with enclosed soundproof ward and run areas.

BE IT FURTHER ORDAINED this Amendment to the City Code of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or otherwise printed as the City Manager directs.

Seconded by Council Member Stephen A. Jennings

Motion was made by Council Member Joseph M. Butler, Jr. to schedule a Public Hearing on the foregoing ordinance for Monday, July 6, 2015 at 7:30 P.M. Motion was seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.

Ordinance No. 3 - An Ordinance Amending the Ordinance Dated March 30, 2015, Authorizing the Issuance of \$10,300,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs of the Design, Reconstruction and Expansion of the City's Fairgrounds Arena, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$10,400,000

Introduced by Council Member Stephen A. Jennings

WHEREAS, by ordinance dated March 30, 2015, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$10,300,000 bonds of said City to pay the costs of the \$10,300,000 estimated maximum cost of the reconstruction and expansion of the City's Fairgrounds Arena, in and for the City of Watertown, Jefferson County, New York, including design costs and incidental expenses in connection therewith, a specific object or purpose, in and for the City of Watertown, Jefferson County, New York;

WHEREAS, no obligations have been issued under such ordinance; and

WHEREAS, the Council now wishes to increase the estimated maximum cost and the amount of bonds authorized for the design, reconstruction and expansion of the City's Fairgrounds Arena from \$10,300,000 to \$10,400,000, in both instances an increase of \$100,000 over that previously authorized;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section A. The title and Sections 1 and 2 of the ordinance of this Council dated and duly adopted March 30, 2015 authorizing the issuance of \$10,300,000 bonds to pay the estimated maximum cost of the reconstruction and expansion of the City's Fairgrounds Arena, in and for the City of

Watertown, Jefferson County, New York, including design costs and incidental expenses in connection therewith, a specific object or purpose, in and for the City of Watertown, Jefferson County, New York, are hereby amended, in part, to read as follows:

“AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$10,400,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COSTS OF THE DESIGN, RECONSTRUCTION AND EXPANSION OF THE CITY’S FAIRGROUNDS ARENA, IN AND FOR SAID CITY.

“

“Section 1. For the specific object or purpose of paying costs of the design, reconstruction and expansion of the City’s Fairgrounds Arena, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$10,400,000 bonds of said City pursuant to the provisions of the Local Finance Law.

“Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$10,400,000 and that the plan for the financing thereof is by the issuance of the \$10,400,000 bonds of said City authorized to be issued pursuant to this bond ordinance. The amount of bonds to be issued will be reduced by the amount of any appropriations of current funds to pay part of the cost of the aforesaid specific object or purpose.

- Section B. The validity of such bonds and bond anticipation notes may be contested only if:
- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
 - (2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
 - (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section C. Upon this ordinance taking effect, the same shall be published in summary in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section D. This resolution is effective immediately.

Seconded by Council Member Teresa R. Macaluso

Motion for unanimous consent moved by Council Member Stephen A. Jennings, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea.

STAFF REPORTS

Donation Offer of 154 Winslow Street

Mayor Graham explained there was an offer from Wells Fargo to donate this property, along with some money to help address property issues.

Kenneth Mix, Planning and Community Development Coordinator, explained that Neighbors of Watertown looked at it but at this point, they do not feel that it is something they could take title to but would be willing to work with the City and/or a private buyer with a rehabilitation project.

Council Member Burns asked if there is an incentive for a private buyer to do that.

Mr. Mix replied that it would have to make sense financially and in the end, the best option may be demolition. He said he has worked with rental property landlords on rehabilitation programs in which they use grant money through CDBG and HOME to help offset the cost. He clarified the private owner would need to feel the grant incentives are enough to overcome the extra costs associated with a house in such poor condition. He indicated that Code Enforcement staff has inspected the interior and the report was included with the memo to Council.

Mayor Graham asked whether the property would be put to auction if the City was to take title to it.

Mr. Mix mentioned that over time the property will just deteriorate more which will increase the rehabilitation costs. In addition, he noted that if the City waits until the taxes are not paid, it could be a number of years.

Council Member Burns stated she is concerned that Codes has been dealing with this property for 11 years so it must be in rough shape. She said the City could try to look for a private investor but she is not sure if someone would be willing to do that.

Council Member Macaluso noted the foundation looks like it is ready to collapse so the chances that someone would want to rehabilitate it are slim. She added that she does not want this to linger so she would support taking the property.

Mayor Graham asked if the taxes were current.

James Mills, City Comptroller, indicated they were.

Council Member Butler commented that this is an opportunity to get control of a property for rehabilitation and if that cannot happen, then the next best thing would be to demolish it and market that piece of land. He indicated there are programs like this throughout the country in which large banks offer to give properties to municipalities along with some additional capital to help with demolition. He suggested searching for other properties with similar scenarios.

Council Member Burns agreed with Council Member Macaluso and said this is an opportunity for the City to control its own fate so she will support accepting this offer and moving forward.

Mayor Graham asked if this would need to be passed by a resolution.

Attorney Slye responded that it would need to be a resolution only if Council was to put conditions on the gift.

Council Member Jennings remarked that he supports this too. He asked what the foreclosure rate is in the City.

Brian Phelps, City Assessor, indicated there has been an increase in the last 12 months.

2014-2015 Crow Management Program Report – Loomacres Wildlife Management

Council Member Butler mentioned there was some success after the lethal means were implemented in addition to the non-lethal techniques. He said he would defer to Loomacres, in terms of what is the best way to mitigate this problem.

Letter from Community Action Planning Council of Jefferson County, Inc./Fire Education and Prevention Program

Council Member Butler mentioned the fire study discussed the importance of fire education in preventing fires and he always receives comments that Captain Kolb is doing a good job as a full-time firefighter focusing on public education. He noted that Captain Kolb was going to be put on the line so the education duties will be transferred to someone else, but there will no longer be a dedicated person to fire prevention. He asked if there was a long term strategy for fire education and prevention.

Council Member Macaluso commented she was under the impression that fire education was not going to stop, but there would no longer be a designated person assigned to it.

Ms. Addison responded that the City needs to think outside the box on how to do fire education. Noting there is a significant shortage on the line which costs overtime, she said putting Captain Kolb back on the line does not mean the City cannot conduct education because these duties can be divided up across the line.

Council Member Macaluso asked if he has activities scheduled every day.

Ms. Addison said she cannot speak to the details of that but he is quite busy.

Council Member Burns said the goal is not to not have public education and it is to provide the same type of service but in a more economic, feasible manner. She stated she supports education but the main goal, as a City and Fire Department, should be to provide fire service and this is what the City Manager is trying to do, while addressing a shortage on the line.

Council Member Butler asked who will be responsible for education.

Ms. Addison indicated that question should be directed to the Fire Chief. She added the plan has not been put together yet and confirmed the implementation date will be July 1.

Fire Chief Herman discussed Captain Kolb's duties and schedule as the Fire Prevention Educator, noting his schedule was adjusted according to the demands of the program.

Ms. Addison mentioned the fire study strongly advocates for public education, but it also recommends returning that individual to the line because the organizational structure listed in the study does not include a Fire Education Officer in the diagram. She reiterated the Fire Department needs to look

outside the box in how it approaches education and provide that to the public. She said the City may not be able to provide the same level of service, noting they can no longer go to Sackets Harbor to participate at the Old McDonald's Farm. She suggested charging for such things outside the City.

Mayor Graham said those types of things should not have been happening for obvious reasons. He noted that if education is done more on an ad hoc basis, there may be some qualitative issues. He reminded Council the shortage on the line was part of a budgetary strategy as positions were trimmed the last few years so these things did not just happen; it was part of a strategy which was endorsed by this Council.

Council Member Macaluso wondered if part of the lack of staff is due to summer vacations and questioned if Captain Kolb would be able to provide education once school starts again in the fall.

Ms. Addison replied there are a number of factors that contribute to the shortage.

Mayor Graham asked when the collective bargaining discussions with the Fire Department begin again.

Ms. Addison indicated it was on June 30.

Council Member Butler said he does not have a problem with this change as long as there is an educational piece in place. Noting his position about the Fire Department has not changed, he said staffing should be controlled as a legislative function. He stressed there needs to be a plan in place, though, for when a school requests an educational program.

NEW BUSINESS

Dog Park

Council Member Burns indicated she originally was not a proponent of the dog park because she did not see this as a priority for the City. Since this body has decided to move forward with it, she said she appreciates the positive actions that she has seen in this regard and noted she participated in Saturday's Dog Walk. She thanked Heather Spezzano and Maryann Rondon for their efforts in putting this event together.

Mayor Graham clarified the City has not donated land and it has only designated land for this use. He added the City created a mechanism through Parks and Recreation to run and budget for the program. He stressed Council made this contingent on achieving private sector fundraising goals. He also thanked Ms. Spezzano and Ms. Rondon. He mentioned the connection of Factory Square Park to Factory Street along the sewer right-of-way and requested staff move ahead with this.

Council Member Butler mentioned he attended this event as well and there was a great turnout for it. He said it is a beautiful area and he heard comments from people saying they had never been there or known how nice it was. He commended the Mayor for helping to put this together.

Mentioning the size of the dog park, Council Member Macaluso said there were a lot of people there but it did not seem overcrowded.

Mayor Graham clarified that he did not have a role in planning this.

Cars Parking on the Sidewalk in front of the Woolworth Building

Council Member Burns indicated she has received complaints regarding cars pulling up onto the sidewalk in front of the Woolworth Building. She asked the City Manager to look into this.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 7:53 p.m. by motion of Council Member Joseph M. Butler, Jr. , seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk